

ALASKA STATUTE 14.08.031

Regional Educational Attendance Areas

Sec. 14.08.031. REGIONAL EDUCATIONAL ATTENDANCE AREAS.

(a) The Department of Community and Economic Development in consultation with the Department of Education and Early Development and local communities shall divide the unorganized borough into educational service areas using the boundaries or sub-boundaries of the regional corporations established under the Alaska Native Claims Settlement Act, unless by referendum a community votes to merge with another community contiguous to it but within the boundaries or sub-boundaries of another regional corporation.

(b) An educational service area established in the unorganized borough under (a) of this section constitutes a regional educational attendance area. As far as practicable, each regional educational attendance area shall contain an integrated socio-economic, linguistically and culturally homogeneous area. In the formation of the regional educational attendance areas, consideration shall be given to the transportation and communication network to facilitate the administration of education and communication between communities that comprise the area. Whenever possible, municipalities, other governmental or regional corporate entities, drainage basins, and other identifiable geographic features shall be used in describing the boundaries of the regional school attendance areas.

(c) Military reservation schools shall be included in a regional educational attendance area. However, operation of military reservation schools by a city or borough school district may be required by the department under AS 14.12.020 (a) and AS 14.14.110. Where the operation of the military reservation schools in a regional educational attendance area by a city or borough school district is required by the department, the military reservation is not considered part of the regional educational attendance area for the purposes of regional school board membership or elections.

(d) U.S. Bureau of Indian Affairs schools shall be included in a regional educational attendance area boundary. (Sec. 2 ch 124 SLA 1975)

Decisions - Alaska Const., art. VII, Sec. 1, does not establish right to secondary schools for students in their communities of residence. - See *Hootch v. Alaska State-Operated Sch. Sys.*, 536 P.2d 793 (Alaska 1975) decided under former Chapter 08.

As to absence of duty on regional educational attendance areas to bargain collectively with noncertificated employees, - see note following chapter analysis. *Northwest Arctic Regional Educ. Attendance Area v. Alaska Pub. Serv. Employees, Local 71*, 591 P.2d 1292 (Alaska 1979), overruled on other grounds, *Alaska Com. Fishing & Agric. Bank v. O/S Alaska Coast*, 715 P.2d 707 (Alaska 1986).

Fairbanks charter provision preempted. - The State Open Meetings Act preempts the Fairbanks City Charter provision concerning open meetings. *Walleri v. City of Fairbanks*, 964 P.2d 463 (Alaska 1998).

Stated in *Matanuska-Susitna Borough Sch. Dist. v. State*, 931 P.2d 391 (Alaska 1997)

Cited in *Meiners v. Bering Strait Sch. Dist.*, 687 P.2d 287 (Alaska 1984)

